

Arising Out of PS. Case No.-119 Year-2024 Thana- BELDOUR District- Khagaria

- Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar

2 30-07-2024 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 420, 467, 468 and 34 of the I.P.C. and Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of two cases and petitioner no.2 has antecedent of three cases and the allegation is of recovery of 35 litres of liquor from the house of Vilash Sharma.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession and even alleged recovery is from a place, which does not belong to the petitioners and they came to be implicated based on confessional statement of Vilash Sharma and Nilam Devi in police custody, which does not have any evidentiary value. It is also submitted that petitioners have no concern with Vilash Sharma.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge-IIInd, Khagaria in connection with Beldaur P. S. Case No.119 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioners shall verify the



criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 has antecedent of more than two cases and petitioner no.2 has antecedent of more than three cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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